

REMARKS

Claims 1-19 are pending in this application, of which claims 1, 17, and 18 are independent. Favorable reconsideration of the Office Action mailed February 17, 2010 is respectfully requested in view of the foregoing amendments and the following remarks.

Interview Summary

On May 18, 2010, Examiner Greg Borsetti and the applicant's representative Mandy Jubang of Oechslii Rohlicek & Tsao LLP conducted a telephone interview.

The examiner indicated that he would withdraw the 35 U.S.C. § 101 rejection of claim 1 in the next communication, and suggested amending the preamble of claim 17 to recite a "tangible computer-readable medium storing instructions..."

Claim 1 was discussed in view of the Cardillo and Wolf references of record. During the telephone interview, the examiner appeared to suggest that the recited "receiving" step of previously-presented claim 1, in which "input from a user identifying at least two portions of a first set of audio signals as being of interest to the user," is obvious in view of Cardillo's teachings on page 12 of receiving a text-based query term containing at least two phrases ("brain cancer" and "cell phone") and a temporal operator ("&15"), and Wolf's teachings of spoken queries. Although no agreement was reached with respect to the claim language itself, the examiner suggested clarifying the scope of the "receiving" step of claim 1 to advance prosecution.

35 U.S.C. § 103 Rejections

Claims 1-4, 8, 9, and 12-19 are rejected as being unpatentable over Cardillo et al., "Phonetic Searching vs. LVCSR: How to Find What You Really Want in Audio Archives", in view of Wolf et al., U.S. Patent Application Publication No. 2003-0204492. Claims 5-7, 10, and 11 are rejected as being unpatentable over Cardillo et al., in view of Wolf et al., and further in view of Ferrieux et al., "Phoneme-Level Indexing for Fast and Vocabulary-Independent Voice/Voice Retrieval".

Amended claim 1, requires, in part, "receiving input from a user identifying at least two portions of a first set of audio signals as being of interest to the user, wherein

the input includes a first input from the user identifying a first instance of a spoken event of interest in the first set of audio signals and a second input from the user identifying a second instance of the spoken event of interest in the first set of audio signals."

Neither Cardillo nor Wolf discloses the "receiving" step of claim 1.

FIG. 1 of the Cardillo reference is reproduced below for reference.

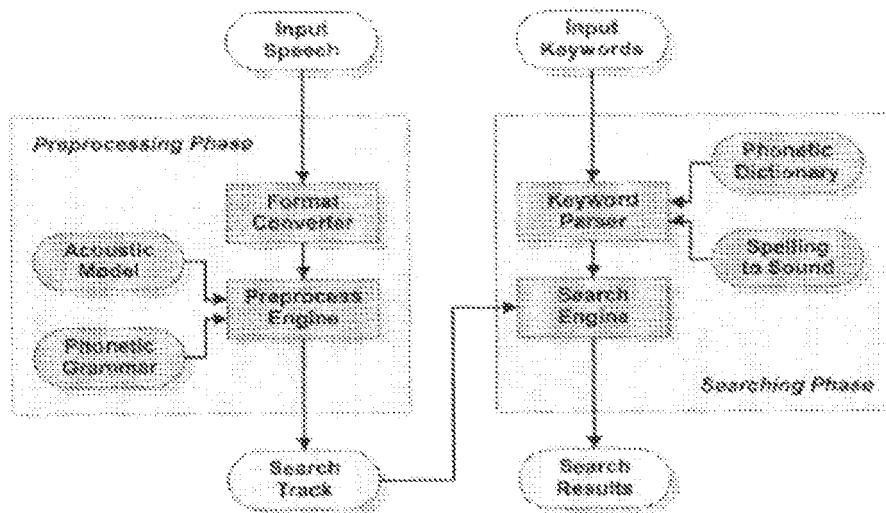


Figure 1. High-speed phonetic searching architecture.

In Cardillo, a query term to be located in a search track (a phonetic representation of an input speech) is provided to a search engine via a text-based interface. The text-based query term may contain one or more:

- words or phrases (e.g., "Clinton" or "Supreme Court Justice")
- phonetic strings (e.g., "[B-IY-T-UW-B-IY]", six phonemes representing the acronym "B2B")
- temporal operators (e.g., "brain cancer &15 cell phone", representing two phrases spoken within 15 seconds of each other)

Cardillo's keyword parser parses each word within the text-based query term and generates one or more strings of phonemes.

In Wolf, a query term to be located in a document is provided to a search engine as a spoken query. Speech recognition is then performed on the spoken query to obtain a word-level or phoneme-level lattice.

On page 5 of the present Action, the Examiner states:

1986). Both Wolf and Cardillo reduce the query (text/speech) to a subword unit representation. Wolf then goes on to further teach the phoneme lattice as shown in the above response. The argument is not persuasive.

The Applicant does not disagree with the Examiner that both Cardillo and Wolf reduce the query (be it in text form or speech form) to a subword unit representation, and that Wolf further teaches a phoneme lattice. However, claim 1 requires more. Amended claim 1 requires, in part, "receiving input from a user identifying at least two portions of a first set of audio signals as being of interest to the user, wherein the input includes a first input from the user identifying a first instance of a spoken event of interest in the first set of audio signals and a second input from the user identifying a second instance of the spoken event of interest in the first set of audio signals." No component of the Cardillo system, the Wolf system, or the combination of the Cardillo and Wolf systems, performs the "receiving" step of claim 1.

Cardillo's "multi-word text query" is the only input to the Cardillo system that can reasonably be read as corresponding to an input received from a user. Even if (i) the Cardillo system is modified so that Cardillo's "multi-word query" is received via a spoken-interface (as taught by Wolf) rather than a text-based interface (as taught by Cardillo); and (ii) the multi-word spoken query contains two identical phrases and a temporal operator (e.g., "'brain cancer' &15 'brain cancer'"), receipt of such a multi-word spoken query from a user does not render obvious the recited "receiving" step of claim 1, which requires receiving input from a user that includes "a first input ... identifying a first instance of a spoken event of interest in the first set of audio signals and a second input ... identifying a second instance of the spoken event of interest in the first set of audio signals." In Cardillo and Wolf, there is no user-identification in a first set of audio signals of a first instance of spoken event of interest and a second instance of the spoken event of interest, processing of portions of the first set of audio signals corresponding to the user-identified first and second instances of the spoken event of interest to generate a representation of the spoken event of interest, and subsequent use of the representation of

the spoken event of interest in identifying putative instances of the spoken event of interest in a second audio signal. At most, Cardillo's search engine identifies multiple instances of a query term in an audio signal during the search phase. Wolf's searches are performed on a text-based document, not an audio signal.

For at least these reasons, the Applicant respectfully submits that Cardillo, whether taken alone or in any proper combination with Wolf, does not disclose or make obvious all of the features of amended claim 1.

Should the Examiner choose to maintain the rejection of claim 1 over the combination of Cardillo and Wolf, the Applicant respectfully requests the Examiner identify which elements of Cardillo and/or Wolf the Examiner reads as corresponding to the following features of amended claim 1:

- (1) a first set of audio signals
- (2) a spoken event of interest
- (3) a first instance of a spoken event of interest in a first set of audio signals
- (4) a second instance of the spoken event of interest in the first set of audio signals
- (5) a first input from a user identifying (3)
- (6) a second input from the user identifying (4)
- (7) a second audio signal

The dependent claims 2-16 are patentable for at least similar reasons as the claims on which they depend are patentable.

The independent claim 17 and 18 are patentable for at least similar reasons given above for claim 1.

#### Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing

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in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Petition for Extension of Time fee in the amount of \$65 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 30004-004US1.

Respectfully submitted,

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